REMARKS

Claim Changes

Claim 5 is cancelled without prejudice or disclaimer.

Claim 14 is newly added. Support for the new claim may be found at pages 1 and 2, paragraph [0021], of the specification as published. No new matter is added.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Voluntary Amendment to the Claims

Applicant has voluntarily cancelled claim 5 and amended claims 4, 6, and 11 for purposes of clarification. No new matter is added with this amendment.

Objection to the Specification

In response to the objection, a substitute specification has been enclosed in accordance with section § 1.125 of the MPEP. Acceptance and approval of the substitute specification, including the changes indicated therein, are respectfully requested.

Rejection of Claims 1-13 under 35 U.S.C. § 103 (a) as being unpatentable over US 2002/0046299 (Lefeber) and US 6,493,744 (Emens)

Applicant respectfully traverses the rejection of claims 1-4 and 6-13. Reconsideration is respectfully requested.

Applicant respectfully submits that the combination of Lefeber and Emens does not teach or suggest all the claim limitations as set forth in independent claims 1, 6, 7, and 13. For

example, independent claims 1, 6, 7, and 13 recite(s) *"the rule set comprises a plurality of rules, each of which relates to a respective predetermined message content,"* which are not taught or suggested in the combination of Lefeber and Emens.

The Office Action dated August 25, 2008 on page 4 states "Lefeber also teaches reading an incoming message [0074], wherein when the rule set comprises a plurality of rules, each of which relates to a respective predetermined message ([0040])." Applicant respectfully disagrees.

The Office Action specifically refers to paragraph [0040] of Lefeber as describing or being analogous to Applicant's *rule set comprises a plurality of rules, each of which relates to a respective predetermined message content.* Lefeber in paragraph [0040] discloses "[t]he *database 103 can also contain priority rules as defined by each user* such that the user can utilize more than one communication device 105 in conjunction with the network 101 . *The priority rules* according to these preferred embodiments of the present invention thereby *allows users* of some combination of offline and online PCs and mobile devices (such as digital, PCS, or internet equipped cellular phones and PDAs), *to receive real-time signals and alerts regarding time sensitive events* wherever the users are located, whatever the users are doing, and upon the particular device that the users prefer to receive signals and alerts under those circumstances."

The Office Action appears to equate Applicant's "plurality of rules" to Lefeber's "priority rules". However, this is a mischaracterization. Lefeber at best *discloses priority rules to facilitate reception of real-time signals and alerts based on the where an user is located, what an user is doing, and the particular device that an user prefers,* however, Lefeber *fails to teach or suggest rules based on message content.* In contrast, Applicant describes rules set related to message content. Therefore, the Office Action specifically referring to Lefeber's "priority rules" as describing or being analogous to Applicant's independent claims 1, 6, 7, and 13 reciting *"the rule set comprises a plurality of rules, each of which relates to a respective predetermined message content"* is a mischaracterization.

Emens in col. 5, lines 45-55 discloses "In an alternate embodiment of the modified file creation step shown in FIG. 2B, termed filtering, *the CRVs are used to block specific semantic units.* Semantic units of raw data file 34 are compared with the rating repository to obtain CRVs. The system reads preset user limit values, or content settings, defining objectionable CRVs, and compares the CRVs with the preset user limit values to identify objectionable semantic units."

Emens at best discloses *filtering based on content rating vectors* however *fails to teach or suggest rules based on a message content.* Therefore, Emens fails to teach or suggest *"the rule set comprises a plurality of rules, each of which relates to a respective predetermined message content,"* as recited by the Applicant's independent claims 1, 6, 7, and 13

For the above reasons, Applicant submits that claims 1, 6, 7, and 13 are not obvious in view of Lefeber and Emens, individually or in combination, and therefore that the rejection of claims 1, 6, 7, and 13 under 35 USC 103 (a) should be withdrawn. Applicant requests that claims 1, 6, 7, and 13 now be passed to allowance.

Dependent claims 2-4, 14-16 depend from, and include all the limitations of independent claim 1. Dependent claims 8-12 depend from, and include all the limitations of independent claim 7. Therefore, Applicant respectfully requests the reconsideration of dependent claims 2-4, 8-12, and 14-16 and requests withdrawal of the rejection.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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